

EEOC Form 5 (11/09)

<b>CHARGE OF DISCRIMINATION</b>  This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s):  <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC  <b>520-2019-05306</b>	
<b>New York State Division Of Human Rights</b> and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) <b>Dr. Arlene J Furfero</b>		Home Phone <b>(914) 725-3657</b>	Year of Birth <b>1946</b>
Street Address <b>1373 Weaver St, SCARSDALE, NY 10583</b>		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name <b>ST. JOHN'S UNIVERSITY</b>		No. Employees, Members <b>501+</b>	Phone No. <b>(718) 990-6161</b>
Street Address <b>8000 Utopia Pkwy, JAMAICA, NY 11439</b>		City, State and ZIP Code	
Name		No. Employees, Members	Phone No.
Street Address		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).)  <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input checked="" type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify)		DATE(S) DISCRIMINATION TOOK PLACE Earliest                      Latest <b>04-30-2019                      04-30-2019</b>  <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <b>I have worked for the above-named entity since (1980) over 35-years and have recently been subjected to retaliation for having complained about age (72) and sex (gender female), in violation of the Age Discrimination in Employment Act (ADEA), as well as, Title VII of the Civil Rights Act of 1964, as amended (Title VII). On April 30, 2019, I complained internally about not receiving an assigned course (ECO 606) that was assigned to a younger male professor, Dr. Alex Gevorkyan (40s) who was assigned the summer course. After my complaint, I was disciplined with fabricated and baseless claims of racial discrimination. The claim stems from a 25-page interview that a student took of me six years ago for his class grade which was posted on St. Johns website. I was disciplined on August 7, 2019, by St. Johns President, Dr. Conrado Gempesaw and suspended from work with pay for not adhering to St. Johns values. Since my suspension 4 younger professors [T. Freiburg (34); J. Chebly (33); C. Kane (38) and M. Flaherty (37)] have replaced me. I believe that at least 6 older professors are being targeted for removal with fabricated claims of student complaints, excessive scrutiny of performance, disparate assignments and false misconduct allegation, in violation of Title VII, ADEA, State and Local Laws.</b>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.  I declare under penalty of perjury that the above is true and correct.		NOTARY - When necessary for State and Local Agency Requirements  I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT   SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Digitally signed by Arlene Furfero on 09-12-2019 04:53 PM EDT			



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **Dr. Arlene J. Furfero**  
**1373 Weaver St**  
**Scarsdale, NY 10583**

From: **New York District Office**  
**33 Whitehall Street**  
**5th Floor**  
**New York, NY 10004**

☐

On behalf of person(s) aggrieved whose identity is  
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2019-05306

**D. Young,**  
**Investigator**

(929) 506-5309

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

- ☐ The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.
- ☐ Your allegations did not involve a disability as defined by the Americans With Disabilities Act.
- ☐ The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.
- ☐ Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.
- ☒ The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.
- ☐ The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.
- ☐ Other (briefly state)

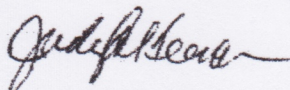
## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice;** or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission



Dey

February 28, 2020

Enclosures(s)

**Judy A. Keenan,**  
**Deputy Director**

(Date Mailed)

cc:

**Attn.: Mr. Joshua Hurwit**  
**Associate General Counsel**  
**St. John's University**  
**8000 Utopia Parkway**  
**Jamaica, NY 11439**





**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
New York, NY 10004-2112  
For General Information: (800) 669-4000  
TTY: (800)-669-6820  
District Office: (212) 336-3620  
General FAX: (212) 336-3625

**Dr. Arlene J. Furfero**  
1373 Weaver Street  
Scarsdale, NY 10583

Re: Arlene Furfero v. St. John's University  
EEOC #: 520-2019-05306

Dear Dr. Furfero,

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission") has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

We have evaluated your charge based upon the information submitted and have determined that further investigation is unlikely to result in a determination that Respondent violated one of the Federal laws enforced by the Commission. Therefore, your charge will be dismissed.

Attached is your Dismissal and Notice of Rights. If you want to pursue this matter further in Federal court, your lawsuit must be filed within 90 days of your receipt of the Notice included with this letter, otherwise your right to sue will be lost. This does not certify that Respondent is in compliance with the statutes. The Commission's processing of this charge has been concluded.

Should you have questions, you may contact Investigator D. Young at (929) 506-5309.

Sincerely,

Jefferson

Dey  
Deputy Director New York District Office  
Acting District Director

February 28, 2020  
Date

Enc.



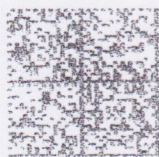
**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

New York District Office  
33 Whitehall Street, 5th Fl  
New York, N.Y. 10004

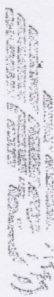
OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

Dr. Arlene J. Furfero  
1373 Weaver Street  
Scarsdale, NY 10583

FIRST CLASS

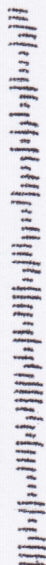


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Mar. 4, 2020*



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